

In no state in which natural gas is being produced by our members do bans exist on the storage or disposal of hydraulic fracturing waste as provided for in SB 237 or the labeling of such waste as "hazardous" as provided for in HB 5308. There are no commercial quantities of natural gas known to exist in Connecticut so hydraulic fracturing does not occur here. In the closest producing states such as Pennsylvania and New York, most waste is recycled on site or at nearby facilities or is disposed of within close proximity.

As a result, it is highly unlikely that any water or drill cuttings associated with natural gas development would be disposed of in Connecticut. Therefore, there does not appear to be a compelling need to ban the disposal of such waste here in Connecticut. ANGA and its members would like to express our concern that enactment of this legislation could be utilized as an example of concern and provide regulatory pressure in other states by creating an air of suspicion that if states like Connecticut are banning the waste, then producing states should also consider similar legislative actions. Such a precedent could have a negative impact on other producing states and, therefore compromise the industry's ability to produce clean natural gas that Connecticut policy makers are relying on under the CES.

Furthermore, HB 5308 would regulate any solid waste identified in 40 CFR Part 261.4(b)(5) as a hazardous waste. This is ironic in that 40 CFR Part 261.4(b)(5) is the provision of Environmental Protection Agency regulations that specifically provides that hydraulic fracturing wastes "**are not hazardous wastes**". The federal government does not deem hydraulic fracturing waste to be a hazardous waste. Nor do the states in which our members are producing natural gas.

As indicated previously, our member companies are subject to a large array of regulations. But such regulations are typically grounded in sound, rational science, rather than an arbitrary proposal that would label all hydraulic fracturing waste as hazardous. There needs to be a more practical consideration of the waste, with a specific awareness of the lack of toxicity to the products. ANGA would be happy to sit with policymakers in Connecticut to determine the best way of regulating hydraulic fracturing waste that is grounded in science, should there come a time that such waste were to ever arrive within the State's borders.

For the reasons stated above, ANGA respectfully urges the Environment Committee to take no further action on SB 237 or HB 5308.